

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division**

RLI INSURANCE COMPANY,

Plaintiff,

v.

Case No.: 5:18-cv-00066-MFU

NEXUS SERVICES, INC.,

Defendant.

**MOTION TO SEAL RLI INSURANCE COMPANY'S
MOTION FOR SECOND PRELIMINARY INJUNCTION**

Plaintiff RLI Insurance Company ("Plaintiff" or "RLI"), by its undersigned counsel, and pursuant to Local Civil Rule 9 hereby moves this Court for an Order permitting the filing UNDER SEAL of RLI's Motion for Second Preliminary Injunction – by which RLI seeks immediate enforcement by specific performance and preliminary injunction of its express contractual rights to be exonerated, in the amount of \$709,789.37, and to be secured by Nexus from anticipated Bond loss and liability in the demanded collateral security amount of \$10 million – to be submitted separately and conventionally in accordance with Rule 9.

The grounds for this Motion are as follows. Pursuant to Paragraph 3 of the Preliminary Injunction Order entered by this Court on July 2, 2018 [ECF No. 60], RLI is expressly prohibited from disclosing "information learned from [documents produced pursuant to the preliminary injunction order]." Under Federal Rule of Civil Procedure 65, a motion for preliminary injunction must be supported by evidence. RLI's Motion for Second Preliminary Injunction, with supporting

Declarations (and other exhibits attached thereto), necessarily includes information from documents disclosed under the Court's July 2, 2018 Preliminary Injunction Order. Under Local Civil Rule 9, portions of documents may not be sealed; rather "only [an] entire document may be sealed." The duration of this request to maintain these documents under seal is until such time as the Court modifies its July 2, 2018 Preliminary Injunction Order.

WHEREFORE, based on the foregoing, RLI respectfully requests that this Court grant this Motion to Seal and permit RLI to file its Motion for Second Preliminary Injunction (including all supporting documents filed therewith) under seal.

Dated: October 22, 2018

Respectfully submitted,

RLI INSURANCE COMPANY

By its Counsel:

/s Vivian Katsantonis

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